IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

OP.No. 29201 of 2002(B)

PETITIONER:

B. SURESH, LICENSEE, TODDY SHOP
NO.17/2002-03, CHIRAYINKIZHU,
ILLAVAPAZHANIVILAKAMLAKH HOUSE,
PARASUVAKKAL, NEYYATTINKARA P.O.
TRIVANDRUM.

BY ADV. SRI.S.KRISHNAMOORTHY

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
ITS CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF EXCISE,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EXCISE COMMISSIONER,
EXCISE DIVISION OFFICE,
THIRUVANANTHAPURAM.

4. THE EXCISE INSPECTOR,
CHIRAYINKIZHU RANGE, ATTINGAL CIRCLE,
TRIVANDRUM.

BY ADV. SMT.R.BINDU, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 15/03/2007, ALONG WITH OP NO. 31572/2002 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No. 29201/2002

ORDER ON CMP NO. 357/2003 IN CMP NO. 49701/2002 IN O.P.No. 29201/2002

DISMISSED.

15/03/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

ORDER ON CMP NO. 49701/2002 IN O.P.No. 29201/2002

DISMISSED.

15/03/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE NOTICE NO. T8 8604/2002 DATED 24/9/2002 ISSUED BY THE 3RD RESPONDENT.

EXT.P2 COPY OF THE ORDER IN CMP NO. 51250/2001 IN O.P.No. 31460/2001 DATED 18/10/2001 OF THIS HON'BLE COURT.

EXT.P3 COPY OF THE ORDER IN CMP NO. 489/2002 IN O.P.No. 289/2002 DATED 19/4/2002 OF THIS HON'BLE COURT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. Nos. 29201 (B) & 31572 (H) of 2002

Dated, this the 15th day of March, 2007

J U D G M E N T

Since the issue raised is covered vide decision of this Court in **State of Kerala Vs. Unni** reported in 2007 (1) KLT 151, these original petitions are disposed of following the same judgment with same observations, directions and findings as in that judgment.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg